

# EXHIBIT 1



Court's Address and Phone Number:  
Passaic Special Civil Part  
77 Hamilton Street  
Paterson, NJ, 07505

Telephone No. (973) 247-8000

Superior Court of New Jersey  
 Law Division, Special Civil Part  
Passaic County  
 Docket No: DC -009700-15

**Civil Action  
 SUMMONS**

Check one ☒ Contract ☐ Tort

**YOU ARE BEING SUED!**

**Person or Business Suing You (Plaintiff)**

Ingrid Ward

(See the following page(s) for additional plaintiffs)

**Plaintiff's Attorney Information**

Yaakov Saks- RC Law Group  
285 Passaic Street  
Hackensack, NJ, 07601

**Person or Business Being Sued (Defendant)**

Diversified Consultants, Inc.  
po box 551286  
Jacksonville, Florida, 32255

(See the following page(s) for additional defendants)

**The Person or Business Suing You Claims You Owe the Following:**

Demand Amount	\$	10,000.00
Filing Fee	\$	75.00
Service Fee	\$	7.00
Attorney's Fees	\$	
<b>TOTAL</b>	<b>\$</b>	<b>10,082.00</b>

**FOR JUDICIARY USE ONLY**

In the attached complaint, the person or business suing you briefly tells the court his or her version of the facts of the case and how much money he or she claims you owe. If you do not answer the complaint, you may lose the case automatically and the court may give the plaintiff what the plaintiff is asking for, plus interest and court costs. You have 35 days from the date of service to file your answer or a signed agreement. If a judgment is entered against you, a Special Civil Part Officer may seize your money, wages or personal property to pay all or part of the judgment. The judgment is valid for 20 years.

**IF YOU DISAGREE WITH THE PLAINTIFF'S CLAIMS, A WRITTEN ANSWER OR SIGNED AGREEMENT MUST BE RECEIVED BY THE COURT ABOVE, ON OR BEFORE 12/07/2015, OR THE COURT MAY RULE AGAINST YOU. IF YOU DISAGREE WITH THE PLAINTIFF, YOU MUST DO ONE OR BOTH OF THE FOLLOWING:**


- Answer the complaint.** An answer form that will explain how to respond to the complaint is available at any of the New Jersey Special Civil Part Clerk's Offices or on the Judiciary's Internet site [www.njcourts.com](http://www.njcourts.com) under the section for Forms. If you decide to file an answer to the complaint made against you:
  - Fill out the Answer form AND pay the applicable filing fee by check or money order payable to: *Treasurer, State of New Jersey*. Include DC -009700-15 (your Docket Number) on the check.
  - Mail or hand deliver the completed Answer form and the check or money order to the court's address listed above.
  - Hand deliver or send by regular mail a copy of the completed Answer form to the plaintiff's attorney. If the plaintiff does not have an attorney, send your completed answer form to the plaintiff by regular and certified mail. This MUST be done at the same time you file your Answer with the court on or before 12/07/2015.
- Resolve the dispute.** Contact the plaintiff's attorney, or contact the plaintiff if the plaintiff does not have an attorney, to resolve this dispute. The plaintiff may agree to accept payment arrangements. If you reach an agreement, mail or hand deliver the **SIGNED** agreement to the court's address listed above on or before 12/07/2015.

**Please Note - You may wish to get an attorney to represent you.** If you cannot afford to pay for an attorney, free legal advice may be available by contacting Legal Services at 973-523-2900. If you can afford to pay an attorney but do not know one, you may call the Lawyer Referral Services of your local County Bar Association at 973-278-9223. Notify the court now if you need an interpreter or an accommodation for a disability for any future court appearance.

/s/ Name

Dawn R. Thomas  
 Acting Deputy Clerk of the Superior Court



 Dirección y teléfono del tribunal: Parte Civil Especial de <u>Passaic</u> <u>77 Hamilton Street</u> <u>Paterson, NJ, 07505</u>  Número de teléfono: <u>(973) 247-8000</u>	<b>El Tribunal Superior de Nueva Jersey</b> <b>División de Derecho, Parte Civil Especial</b> Condado de <u>Passaic</u> Número del expediente: DC <u>-009700-15</u> <b>Demanda de Acción Civil</b> <b>NOTIFICACIÓN DE DEMANDA</b> Marque si es <input checked="" type="checkbox"/> Contrato <input type="checkbox"/> Ilícito Civil										
<b>¡LE ESTÁN DEMANDANDO!</b>											
<b><u>Persona o entidad comercial que le está demandando (el demandante)</u></b> El Demandante: Consigne la información al dorso. (Vea en la(s) página(s) siguiente(s) los demandantes adicionales)	<b><u>Persona o entidad comercial que está siendo demandada (el demandado)</u></b> El Demandante: Consigne la información al dorso. (Vea en la(s) página(s) siguiente(s) los demandados adicionales)										
<b><u>Información sobre el abogado del demandante</u></b> El Demandante: Consigne al dorso la información sobre el abogado del demandante.	<b><u>La persona o entidad comercial que le está demandando afirma que usted le debe lo siguiente:</u></b> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 5px;"> <tr> <td style="padding: 2px;">Cantidad a la vista</td> <td style="text-align: right; padding: 2px;">\$XXXXXXXXXX</td> </tr> <tr> <td style="padding: 2px;">Tasa judicial</td> <td style="text-align: right; padding: 2px;">\$XXXXXXXXXX</td> </tr> <tr> <td style="padding: 2px;">Cargo del emplazamiento</td> <td style="text-align: right; padding: 2px;">\$XXXXXXXXXX</td> </tr> <tr> <td style="padding: 2px;">Honorarios del abogado</td> <td style="text-align: right; padding: 2px;">\$XXXXXXXXXX</td> </tr> <tr> <td style="padding: 2px;"><b>TOTAL</b></td> <td style="text-align: right; padding: 2px;"><b>\$XXXXXXXXXX</b></td> </tr> </table>	Cantidad a la vista	\$XXXXXXXXXX	Tasa judicial	\$XXXXXXXXXX	Cargo del emplazamiento	\$XXXXXXXXXX	Honorarios del abogado	\$XXXXXXXXXX	<b>TOTAL</b>	<b>\$XXXXXXXXXX</b>
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<b>PARA USO EXCLUSIVO DEL PODER JUDICIAL</b>											
<p>En la demanda adjunta la persona o entidad comercial que le está demandando le informa brevemente al juez su versión de los hechos de la causa y la suma de dinero que afirma que usted le debe. Si usted no responde a la demanda, puede perder la causa automáticamente y el juez puede dar al demandante lo que está pidiendo más intereses y los costos legales. Usted tiene 35 días a partir de la fecha del emplazamiento para presentar su respuesta o un acuerdo firmado. Si se dicta un fallo en su contra, un Oficial de la Parte Civil Especial puede embargar su dinero, sueldo o sus bienes muebles (personales) para pagar todo el fallo o una parte del mismo. El fallo es válido por 20 años.</p> <p><b>SI USTED NO ESTÁ DE ACUERDO CON LAS ALEGACIONES DEL DEMANDANTE, EL TRIBUNAL TIENE QUE RECIBIR UNA RESPUESTA POR ESCRITO O UN ACUERDO FIRMADO PARA EL <u>12/07/2015</u>, O ANTES DE ESA FECHA, O EL JUEZ PUEDE EMITIR UN FALLO EN SU CONTRA. SI USTED NO ESTÁ DE ACUERDO CON EL DEMANDANTE, DEBE HACER UNA DE LAS SIGUIENTES COSAS O LAS DOS:</b></p> <ol style="list-style-type: none"> <li>1. <b>Responder a la demanda.</b> Un formulario de respuesta que le explicará cómo responder a la demanda está disponible en cualquiera de las Oficinas de la Parte Civil Especial de Nueva Jersey o en el sitio Internet del Poder Judicial <a href="http://www.njcourts.com">www.njcourts.com</a> bajo la sección de formularios (Forms). Si usted decide presentar una respuesta a la demanda que se hizo en su contra:           <ul style="list-style-type: none"> <li>• Llene el formulario de Respuesta Y pague la tasa judicial de presentación que corresponda mediante un cheque o giro bancario o postal acreditable al: "Treasurer, State of New Jersey" (Tesorero del Estado de Nueva Jersey). Incluya el número <u>DC -009700-15</u> (el número de su expediente) en el cheque.</li> <li>• Envíe por correo el formulario de Respuesta llenado y el cheque o giro bancario o postal a la dirección del tribunal que figura más arriba, o entréguelos personalmente en dicha dirección.</li> <li>• Entregue personalmente o envíe por correo común una copia del formulario de Respuesta llenado al abogado del demandante. Si el demandante no tiene abogado, envíe su formulario de respuesta llenado al demandante por correo común y por correo certificado. Esto SE TIENE que hacer al mismo tiempo que presente su Respuesta al tribunal a más tardar el <u>12/07/2015</u>.</li> </ul> </li> <li>2. <b>Resolver la disputa.</b> Comuníquese con el abogado del demandante, o con el demandante si éste no tiene abogado, para resolver esta disputa. El demandante puede estar de acuerdo con aceptar arreglos de pago. Si llegara a un acuerdo, envíe por correo el acuerdo FIRMADO a la dirección del tribunal que figura más arriba, o entréguelo personalmente en dicha dirección a más tardar el <u>12/07/2015</u>.</li> </ol> <p><b>Nota - Puede que usted quiera conseguir que un abogado para que lo represente. Si usted no puede pagar un abogado, podría obtener consejos legales gratuitos si se comunica con Legal Services (Servicios Legales) llamando al <u>973-573-2900</u>. Si usted puede pagar un abogado, pero no conoce a ninguno, puede llamar al Lawyer Referral Services (Servicios de Recomendación de Abogados) del Colegio de Abogados (Bar Association) de su condado local al <u>973-278-9223</u>. Notifique al tribunal ahora si usted necesita un intérprete o un arreglo por una discapacidad para cualquier comparecencia futura en el tribunal.</b></p>											
/s/ Nombre y apellido <u>Dawn R. Thomas</u> Subsecretario(a) interino(a) del Tribunal Superior											

<p>1. The first part of the document is a header section containing the following information:</p> <p>Case No. 15-12345 Date Filed: 12/02/15 Page 5 of 14 Case 2:15-cv-08390-JLL-JAD</p>	<p>2. The second part of the document is a table with the following columns:</p> <table><tr><th>Case No.</th><th>Date Filed</th><th>Page</th><th>Case</th></tr><tr><td>15-12345</td><td>12/02/15</td><td>5</td><td>2:15-cv-08390-JLL-JAD</td></tr></table>	Case No.	Date Filed	Page	Case	15-12345	12/02/15	5	2:15-cv-08390-JLL-JAD								
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(973) 247-8000

**Civil Action  
SUMMONS**

**Additional Defendants/demandados adicionales**

FILED Oct 23, 2015

BATCH # 35  
CK/CAMO # 1168  
AMT \$ 8.00

**SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION SPECIAL CIVIL PART  
PASSAIC COUNTY**

-----X  
Ingrid Ward

Plaintiff,

Docket No: DC-009700-15

**COMPLAINT**

-v.-

Diversified Consultants, Inc.

Defendant.  
-----X

**FILED**  
OCT 23 2015  
Passaic Co. Special Civil Part

Plaintiff Ingrid Ward ("Plaintiff" or "Ward") by and through her attorneys, RC Law Group, PLLC, as and for its Complaint against Defendant Diversified Consultants, Inc. ("Defendant" or "DCI") respectfully sets forth, complains and alleges, upon information and belief, the following:

**INTRODUCTION/PRELIMINARY STATEMENT**

1. Plaintiff brings this action for damages and declaratory and injunctive relief arising from the Defendant's violation(s) of section 1692 et. seq. of Title 15 of the United States Code, commonly referred to as the Fair Debt Collections Practices Act ("FDCPA").

**PARTIES**

2. Plaintiff is a resident of the State of New Jersey, County of Passaic, residing at 120 Columbia Ave., Apt #1, Passaic, NJ 07055.



3. Defendant is a debt collector with an address at P.O. Box 551268, Jacksonville, FL 32255.

4. Diversified Consultants, Inc. is a "debt collector" as the phrase is defined in 15 U.S.C. § 1692(a)(6) and used in the FDCPA.

### **JURISDICTION AND VENUE**

5. The Court has jurisdiction over this matter pursuant to 28 U.S.C. § 1331, as well as 15 U.S.C. § 1692 et. seq. and 28 U.S.C. § 2201. If applicable, the Court also has pendant jurisdiction over the State law claims in this action pursuant to 28 U.S.C. § 1367(a).

6. Venue is proper in this judicial district pursuant under N.J.S.A. 6:1-3(a), because the acts and transactions occurred here, Plaintiff resides here, and Defendants transact business here.

### **FACTUAL ALLEGATIONS**

7. Plaintiff incorporates by reference all of the above paragraphs of this Complaint as though fully state herein with the same force and effect as if the same were set forth at length herein.

8. On information and belief, on a date better known to Defendant, Defendant began collection activities on an alleged consumer debt from the Plaintiff ("Alleged Debt").

9. This debt was incurred as a financial obligation that was primarily for personal, family or household purposes and is therefore a "debt" as that term is defined by 15 U.S.C. § 1692a(5).





10. On or around April 16, 2015, Defendant sent Plaintiff a collection letter that included collection costs equaling approximately 18% of the total debt.

11. The account has a principal balance of \$ 253.50, and the Defendant has added collection costs of \$ 45.63 which is roughly 18% of the total debt.

12. Plaintiff did not agree to such a collection charge and the 18% collection fee, far exceeds any reasonable costs of collection for this account.

13. The addition of this collection fee by Defendant, which was not authorized by the agreement creating the debt or permitted by law, was an attempt to collect an amount not owed by Plaintiff and a violation of numerous and multiple provisions of the FDCPA, including but not limited to 15 U.S.C. §§ 1692e, 1692e(5), 1692e(10), 1692f, and 1692f(1). See Kojetin v. CU Recovery, Inc., 212 F.3d 1318 (8th Cir. 2000) ("Contrary to [the Collector's] view, we agree with the district court's conclusion that [the Collector] violated the FDCPA when it charged Kojetin a collection fee based on a percentage of the principal balance that remained due rather than the actual cost of the collection.").

14. As a result of Defendant's deceptive, misleading and unfair debt collection practices, Plaintiff has been damaged.

**FIRST CAUSE OF ACTION**  
**(Violations of the FDCPA)**

15. Plaintiff incorporates by reference all of the above paragraphs of this Complaint as though fully state herein with the same force and effect as if the same were set forth at length herein.



16. Defendant's debt collection efforts attempted and/or directed towards Plaintiff violate various provisions of the FDCPA, including but not limited to 15 U.S.C. §§ 1692e, 1692e(5), 1692e(10), 1692f, and 1692f(1).

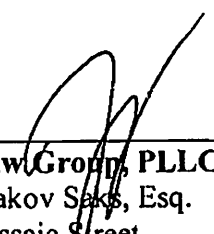
17. As a result of the Defendant's violations of the FDCPA, Plaintiff has been damaged and is entitled to damages in accordance with the FDCPA.

**PRAYER FOR RELIEF**

**WHEREFORE**, Plaintiff Ingrid Ward demands judgment from the Defendant Diversified Consultants, Inc., as follows:

- a) For actual damages provided and pursuant to 15 U.S.C. § 1692k(a)(1);
- b) For statutory damages provided and pursuant to 15 U.S.C. § 1692k(2)(A);
- c) For attorney fees and costs provided and pursuant to 15 U.S.C. § 1692k(a)(3);
- d) A declaration that the Defendant's practices violated the FDCPA; and
- e) For any such other and further relief, as well as further costs, expenses and disbursements of this action as this Court may deem just and proper.

Dated: Hackensack, New Jersey  
October 20, 2015

  
\_\_\_\_\_  
RC Law Group, PLLC  
By: Yaakov Saks, Esq.  
285 Passaic Street  
Hackensack, NJ 07601  
Phone: 201.282.6500 ext. 201  
Fax: 201.282.6501

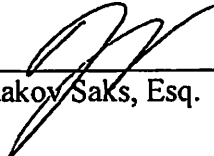
### Rule 4:51-1 Certification

The undersigned attorney for the plaintiff certifies that the matter in controversy is not the subject of any other action pending in any Court or a pending arbitration proceeding, nor is any other action or arbitration proceeding contemplated. I certify that confidential person identifies have been redacted from documents now submitted to the court, and will be redacted from all documents submitted in the future in accordance with Rule 1:38-7b.

#### **Certification**

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Date: 6/20/2015

Signature:   
Yaakov Saks, Esq.

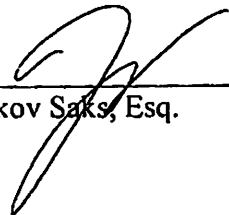
### Out of State Certification

Yaakov Saks, of full age, hereby certifies as follows:

1. Defendant Diversified Consultants, Inc. is located at P.O. Box 551268, Jacksonville, FL 32255.

2. Diversified Consultants, Inc. does not have an address in New Jersey, but is subject to jurisdiction in New Jersey since it does business in the State.

Date: 10/20/2015

Signature:   
Yaakov Saks, Esq.